



The Jewel of the Chesapeake Bay
North Beach, Maryland

8916 Chesapeake Avenue | Post Office Box 99
North Beach, MD 20714

410.257.9618 | 301.855.6681
www.northbeachmd.org

**TOWN COUNCIL MEETING
NORTH BEACH TOWN HALL
August 14, 2014
7:00 p.m.**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. APPROVE AGENDA**
- IV. APPROVAL OF MINUTES**
 - A. Minutes from the July 10, 2014 Town Council Meeting
- V. SCHEDULED APPOINTMENTS**
 - A. Representative from Narcotics Anonymous
- VI. PUBLIC SAFETY REPORT**
- VII. TREASURER'S REPORT**
- VIII. REPORTS**
 - A. Public Works Supervisor
 - B. Code Enforcement Officer
 - C. Town Engineer
 - D. Waterfront Manager
- IX. BOARDS AND COMMISSIONS**
- X. BUSINESS ITEMS**
 - A. Update on Hotel Tax
 - B. Award of Bid for the Emergency Pump for Pump Station #3
 - C. FY15 Asphalt contract RFP
 - D. Living Shoreline RFP

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox



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XI. ORDINANCES AND RESOLUTIONS

XII. MAYOR AND COUNCIL REPORTS

XIII. PUBLIC COMMENT

XIV. CLOSED SESSION MEETING

XV. ADJOURNMENT

Upcoming Meetings and Events

1) All agendas are subject to change up until the time of the meeting.

- a) Saturday, August 16, 2014 – Planning Commission Work Session – 9 am.
- b) Saturday, August 16, 2014 – Movie on the Beach at dusk – “The Lorax”
- c) Wednesday, August 27, 2014 – Economic Development Meeting – 7PM
- d) Thursday, August 28, 2014 – Planning Commission Meeting – 7PM
- e) September 11 – 13, 2014 – Maryland Municipal League Fall Conference in Annapolis, MD
- f) Thursday, September 11, 2014 – Town Council Meeting – 7 PM

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Minutes from the July 10, 2014
Town Council Meeting
7:00 pm

X___ Mayor Frazer	X___ Joanne Hunt	___ Buddy Jenkins
X___ Mr. Benton	X___ Stacy Wilkerson	X___ John Shay
X___ Mr. Dotson	X___ Donnie Bowen	X___ Dawn Richardson
X___ Mr. McNeill	X___ John Hofmann	X___ Corporal Phelps
X___ Mr. Hummel	X___ Richard Ball	
X___ Ms. Schiada	X___ Mr. Wilcox	

APPROVAL OF AGENDA AND MINUTES

- a) MOTION made by Randy Hummel to approve the addition of Candace DiAgastion from Calvert Alliance Against Substance Abuse. Seconded by Mike Benton. All in favor.
- b) MOTION made by Ken Wilcox to approve the minutes from the June 5, 2014. Seconded by Gwen Schiada. All in favor. Motion carries.

SHERIFF'S DEPARTMENT REPORT

- a) In June 2014 the Sheriff's Department responded to 184 calls for service in North Beach. This is down from 189 calls in May 2014.

TREASURER'S REPORT

- a) Treasurers Report: Reporting Period: 5/1/2014 – 5/31/2014: Beginning Balance; \$447,132.47; Total Debits: \$178,643.72; Total Credits: \$451,985.96; Ending Balance: \$173,790.23. MOTION made by Ken Wilcox to accept this report as presented. Seconded by Mike Benton. Motion carries.
- b) Reporting Period: 6/1/2014 – 6/30/2014: Beginning Balance; \$173,790.23; Total Debits: \$534,017.35; Total Credits: \$419,494.15; Ending Balance: \$288,313.43. MOTION made by Gwen Schida to accept this report as presented. Seconded by Greg McNeil. Motion carries.

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox



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REPORTS

Staff Reports: Public Works Department, Code Enforcement, Town Engineer and Waterfront Manager are attached to this report.

BUSINESS ITEMS:

- a) Bay front Park Bids for Walkway: Motion made by Randy Hummel to award the contract for the concrete walkways to Atlas Concrete Services in the amount of \$22,450.00 for the installation and to Howlin Inc. in the amount of \$9,796.00 for the purchase of the concrete. Seconded by Ken Wilcox. Aye: Hummel, Benton, McNeil, Schiada and Wilcox. Nay: Dodson. All in favor. Motion carries.
- b) Update on the Accommodation Tax: The Mayor and Joanne Hunt will be meeting with the County Attorney on Friday the 11th of July to discuss the item further.
- c) Update on Wi-Fi along the waterfront: The Economic Development Committee was given a presentation by Fred Brechbiel, Jr., the president of CBay IT Services. After hearing the presentation and obtaining additional information the EDC is recommending the Town not pursue Wi-Fi along the waterfront any further.
- d) Change Order #3 for Environmental Concerns Contract: Motion made by Randy Hummel to approve the Change Order in the amount of \$5,180.00 for Environmental Concerns to assist with the application to Chesapeake Bay Trust Fund for a grant. Seconded by Gwen Schiada. All in favor. Motion carries.

ORDINANCES AND RESOLUTIONS:

- a) Resolution 14-02: A Resolution for the application to the Community Legacy Program for the Construction of a Flood Dike on the North End of Town. MOTION made by Randy Hummel to move forward with the application to Community Legacy for the Flood Dike and support the Resolution. Seconded by Gwen Schiada. All in favor. Motion carries.

Meeting closed 8:00 pm on a Motion made by Randy Hummel to enter into Executive Session to obtain legal advice. Seconded by Ken Wilcox. All in favor. Motion carries.

Submitted:

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox



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Mark R. Frazer, Mayor

Stacy L. Wilkerson, Town Clerk

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox

Memo



CALVERT COUNTY SHERIFF'S OFFICE TWIN BEACHES PATROL

Date: August 7, 2014
To: Stacy Wilkerson
From: Corporal Thomas S. Phelps
Re: Sheriff's Office Report-North Beach

In July of 2014, the Sheriff's Office handled 192 calls for service in North Beach. This is up from 184 calls in June 2014.

(In July of 2013, the Sheriff's Office handled 234 calls for service in North Beach.)

Call Breakdown for July:

94 calls were self-initiated (patrol checks, follow-up investigations, etc)

98 calls were received by other means (citizens, alarm companies, etc)

Of the 192 calls, we handled:

- 2 CDS Violations (Closed by Arrest) (1 Heroin, 1 Cocaine)
- 1 DOPs
 - Broken Window (Under Investigation)
- 1 Burglary
 - Items Stolen from Residence (Closed by Arrest)
- 3 Theft
 - Trash Can Full of Cooper Stolen (Under Investigation)
 - Theft from UNLOCKED Vehicle (Under Investigation)
 - Theft of Cash from Wallet (Closed by Arrest)
- 2 DUI Arrest

**TOWN OF NORTH BEACH
TREASURER'S REPORT**

Reporting Period 7/01/2014- 7/31/2014

PNC Bank:

Beginning Balance 7/01/2014	\$ 285,405.86	
Total Debits (+)	\$ 780,173.84	
Total Credits (-)	\$ 712,848.64	
 Ending Balance 7/31/2014	 \$ 67,325.20	 Last Year: \$ 559,922.25
 Investments (MLGIP/General Fund)	 \$ 2,034,761.99	 Last Year: \$1,333,498.49
(MLGIP/Sewer Capital)	\$ 33,983.72	Last Year: \$ 383,964.92
(MLGIP/Water Capital)	\$ 7,424.01	Last Year: \$ 7,419.91
Total Cash	\$ 2,143,494.92	Last Year: \$2,284,805.57

CASH RECEIPTS OVER \$7,500.00

\$ 15,301.84- Calvert County Tax Payment- Business License
\$ 85,001.58- State ACH Payment /July, 2014

CASH DISBURSEMENTS OVER \$7,500.00

\$ 38,675.99- Payroll W/E 7/5/14
\$ 37,458.06- Payroll W/E 7/19/14
\$ 9,110.70- PNC Bonds
\$ 14,077.96- PNC Bonds
\$ 9,254.28- Mosca Design
\$ 12,264.91- Utility Service Co., Inc.
\$ 40,823.00- LGIT- Liability Policy
\$ 20,167.97- Comptroller of Maryland/MDE Flush Tax
\$ 10,531.50- Southern Maryland Recycling/Trash Contract
\$ 85,103.50- Calvert County Treasurer- Sheriff's Patrol

To: Mayor Frazer and Town Council Members

From: Don Bowen DPW

Date: 8-12-14

Subject: Monthly Report

The following is a list of items Public Works is working on in addition to routine task.

- 1) Working on storm drain and grading related to sidewalk project on Dayton Ave from 4th street to 5th street. Installed new storm drain pipe across 5th street and added 80' of new pipe heading south on Dayton. This work will help with storm water drainage in the area and provide parallel parking spaces along Dayton. Concrete work scheduled to start 8-13-14.
- 2) Did paving repairs to several trouble spots throughout Town. Most were utility cuts and failed patches, approximately 40 tons of asphalt was used.
- 3) Replaced missing boards under on the seawall along section of boardwalk from Hatches corner to 7th street. Will be starting on top rail next week.
- 4) Did quarterly water reads for billing purposes , identified problem meters and created a repair list to update system.
- 5) Had new guard rail installed on first street between Frederick and Greenwood.
- 6) Continuing to work with Mr. Hoffman on upgrade of Bay Ave pumping station. Have received bids for emergency backup pump and will discuss in business items. Have ordered new submersible pumps for station, and currently we are working with BG & E to upgrade power to station.
- 7) Have been working with Mr. Hoffman on paving details for resurfacing of 2nd street. This item is also on agenda for discussion in business items.
- 8) Had heavy rains on 8-12-14, caused flooding in normal areas. Streets were flooded from 4:30 pm until 7:45 pm. Worked on cleaning streets on 8-13-14.

Please contact me with any questions or comments.
Thanks Don Bowen DPW

August 14th , 2014

Town Council Meeting

To: Mayor Frazer and Town Council members

Due to my full time position at WSSC/Louis Berger Group I will be unable to attend Town meeting this month. Thank you.

July 10, 2014 thru August 7th, 2014

Pending/ongoing issues;

Grass/Yard Maintenance: Most properties have been pretty good about the grass cutting after many door tags and/or Notices of Violation were posted during the months of May, June and the beginning of July. Any foreclosed and/or abandoned properties are abated as necessary if initial notice is ignored. There are a handful of properties in Town that get out of hand and are a constant battle. But when things slow a little I intend to give them some undivided focus to try to nudge them into compliance on a more frequent timeframe since said property owners tend to take their sweet time to comply after a Notice of Violation.

Notice of Violations: 2

Hazardous Abatements: 1- property on 1st St.(2nd abatement) Neighboring property on 1st that been abated by the Town once using (Earthtech) is now being maintained by BB&T Bank , who has been cooperating with yard maintenance. 1- property on 4th St.. Before and after photos taken on all.

Posted 3 vehicles for illegal parking on Chestnut Ave. (a boat w/ trailer , a tractor & trailer , & utility trailer) I was only able to post them with laminated copies of Town Ordinance with highlighted sections pertaining to each entity with door tag included because I haven't received information back from having the boat number and all tag numbers yet as of 8/6/14. So owner of all above mentioned is still unknown. When ownership is established , Notices of Violation will be posted with Tow Away signs immediately. Chip's Towing will be called upon if ignored

2 portable basketball hoop setups were posted then removed from 1st St.. I went door to door and spoke with surrounding property owners/tenants who informed me that they were never used and that the alleged owner of them was almost never home. A week was given for the owner to retrieve them from the Public Works yard and if they were not claimed they would be tossed. But if they were retrieved they were not allowed to be put back.

Threatened an immediate Hazardous Abatement at a property on Bay Ave. adjacent to Plaza Mexico due to 3 mattresses and a rolled up carpet that had been in the yard. When I arrive there with EarthTech to perform abatement right at the 4pm deadline , the mattresses and carpet were being removed by tenants.

Signed off on 1 miscellaneous permit.

Rental inspections for rental licenses are ongoing as well as business license inspections. All licenses issued are posted on ShoreScan now. Performed 7 rental inspections as of 8/6/14. Any rental property

owners that failed inspection and have ignored any attempt of correspondence with us or any no shows are being focused on along with any remaining rentals that we have yet to receive applications from.

Finished the 5 remaining business inspections for FY14 and will start over again with the new list for FY15 that I recently received.

Respectfully Submitted,

Buddy Jenkins - Code Official /Enforcement

MEMORANDUM

TO: Mayor & Town Council

FROM: John A. Hofmann, P.E. Town Engineer & Zoning Administrator

RE: Monthly Report

DATE: August 2014

The following is the status of activities that are being worked on:

USACOE Wetland Revitalization Project

The Corps is continuing to work up their final engineering scope and costs that are needed for the agreement with the Town prior to starting design for the channels and culverts .

9th Street Flood Mitigation Project

We are coordinating the Flood dike permit with the Living Shoreline permit as the Living Shoreline will create the mitigation areas that are needed to address the impacts from the flood dike. MDE is currently reviewing both permit applications and is considering combining them into a single permit application. .

New Fishing Platform and Renovations for Town Pier.

Work will now start in the fall under the SE Davis Contract as has been discussed.

Block 4 Parking Lot

The easement for the walkway on the RAR property is still unresolved pending USPS approval since part of the easement is on land they lease from RAR.

3rd Street Park

As Council rejected the water feature bids received in June, we are preparing documents for another solicitation with bids to be provided in time for them to be reviewed at the September Council meeting.

Living Shoreline Walton preserve

Environmental Concerns has completed and submitted the application for State & Federal tidal wetland permits. Work is being done on the preparation of a solicitation for construction of the Living Shoreline Project and the Flood Dike as a combined Project. .

Zoning Ordinance & Map

The Planning commission is working on drafting changes to the Zoning ordinance and Map to be recommended to Town council.

Drainage & Roadway Projects

Design is completed and DPW will shortly start the work for curbing & sidewalk work in Dayton Ave. from 3rd St. to 5th St.

We are working on a design for a project to improve the drainage on the east side of Erie Ave. between First & Second Streets.

Transient Slip Dredge project

The State opened up another round of Waterway Improvement Grants in August. The Town submitted an application for the dredge project in the August round. We are continuing with permit applications and finalizing arrangements with Chesapeake Beach on the use of their spoil site. .

Calvert County Hotel Tax

Tax Enforcement & Compliance

Summary of July 11, 2014 Meeting with Calvert County

Attendants: Joyce Baki, Economic Development, Joan Thorp, Finance, Nova Lee Tracey, Calvert County Treasurer, Mayor Frazer, Joanne Hunt, Treasurer

Discussion:

- Update North Beach Zoning Code to include classification for Vacation Rentals.
- Creation of policy similar to North Beach's Rental Code for Vacation Rental Licensing.
- Request an update to Calvert County Ordinance 16-03 for enforcement and noncompliance. Local jurisdictions to assist in identifying and enforcement.
Change ordinance and/or policy to include mandatory monthly reporting even if there were zero collections.
Change ordinance and/or policy to have a per occurrence penalty of \$1,000 for each citation.
Penalties and fines would be distributed to appropriate jurisdictions and would be broken down that same as the tax/fee (95% local/ 5% Admin Fee Calvert County).
County to set up a quarterly reporting for "Hotel Tax Collection".
- North Beach Marketing of compliant "Vacation Rental" (Incentive).

Task 1 Calvert County

- Propose changes to Ordinance 16-03 for enforcement, reporting, and penalties for not reporting.
- Enforcement shared.
- Quarterly reporting from Calvert County.

Task 2 North Beach "Vacation Rentals"

- New Zoning Classification "Vacation Rental"
- Ordinance/Policy specifically for "Vacation Rentals" to include procedures for non compliance.
- Incentive Vacation Rental Owners: North Beach marketing of compliant "Vacation Rentals".

(Report prepared by: Joanne Hunt, Treasurer / August 14, 2014)

ORDINANCE NO. 16-03

**[Pertaining to the enactment of Article IV of Chapter 136 of
the Code of Calvert County]**

For the purpose of imposing a tax on a transient charge paid to a hotel located in Calvert County.

By enacting a new article to Chapter 136 of the Code of Calvert County, Volume 1 (2000 Edition and March 2003 Supplement, as amended).

Pursuant to authority granted in Article 24, Title 9, Subtitle 3 of the Annotated Code of Maryland, as may be amended from time to time, and following a duly advertised public hearing held on May 20, 2003.

Be it Ordained by the Board of County Commissioners of Calvert County, Maryland, that Chapter 136 of the Code of Calvert County, Volume 1, Be and the same hereby Is amended to include the following Article IV:

**Article IV
Hotel Rental Tax**

§ 136-21. Definitions.

As used in this article, the following words have the meanings indicated:

ACCOMODATION TAX – The tax authorized under this article.

BOARD – The Board of County Commissioners of Calvert County, Maryland.

COUNTY – As the context requires, Calvert County.

HOTEL – An establishment, including an apartment, cottage, hostelry, inn, motel, rooming house or tourist home that offers sleeping accommodation for compensation to any transient.

PERSON – A natural person, individual, firm, corporation, partnership, association or other legal entity.

TRANSIENT – Any person who, for any period not exceeding four (4) consecutive months, obtains sleeping accommodation at any hotel, either at his or her own expense or at the expense of another.

Code Annotated, as amended, to provide for orderly, systematic and thorough administration of the accommodation tax.

- B. The Board may increase the surety bond that the county requires for its Treasurer in order to cover the revenue the Treasurer collects from the accommodation tax. The county may treat any additional premium due to the surety bond increase allowed as an administrative tax administrative cost.
- C. From the accommodation tax revenue collected, the Board shall distribute a reasonable sum for accommodation tax administrative costs to the general fund of the county.

And be it Further Ordained by the Board of County Commissioners of Calvert County, Maryland, that this Ordinance shall take effect July 1, 2003, or the date this Ordinance is approved, whichever is later.

Approved and Done this 20th day of May, 2003.

Attest:

Board of County Commissioners of
Calvert County, Maryland

Mary S. Watson
Mary S. Watson, Clerk

David F. Hale
David F. Hale, President

Linda L. Kelley
Linda L. Kelley, Vice-President

Gerald W. Clark
Gerald W. Clark

Wilson H. Parran
Wilson H. Parran

Approved for Legal
Sufficiency on 5/20/03

By: Emanuel Demedis
Emanuel Demedis
County Attorney

Susan Shaw
Susan Shaw

Received for Record May 20 2003
at 3:30 o'clock PM Same day
recorded in Liber KPS No. 19
Folio 274 COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.

Garry P. Smith

Memo

To: Mayor Frazer & Town Council
From: John Hofmann, Town Engineer, *JAH*
CC: Don Bowen, Stacy, Wilkerson, Joanne Hunt,
Date: August 14, 2014
Re: Diesel Powered Standby Sewage Pump for Pump Station No. 3

The Town's improvement plans for Sewage Pump Station No. 3 includes installing a diesel powered pump that will keep the station operational during an electrical failure and other emergencies.

After publicly advertising the following bids were received on August 7, 2014 for a diesel powered pump that is capable providing standby pumping at Pump Station No. 3

The Global pump company	\$32,148.00
White Marsh, MD	
Xylem Dewatering Solutions, Inc.	\$34,143.75
Upper Marlboro, MD	

Both Don Bowen & I have reviewed the bids and recommend that the Contract for Standby Sewage Pump be awarded to The Global Pump Company at their bid amount of \$32, 148.00 based on the following factors:

1. Their bid is the lowest bid that meets the Town's specifications
2. The model 4GSTAP that they will provided exceeds the minimum pumping capability the Town requires for PS #3

3. We have verified with existing users of similar Global equipment, that t their equipment is well manufactured. We have learned from exiting users of their equipment that their ability to service the equipment once it is in service is good.

If there is any other information or recommendations I can provide, please let me know.